

California Water Code Requirements for Water Right Changes and Transfers

	Water Lease	Temporary Urgency Change	Permanent Change	Temporary Change Involving Transfer	Long-Term Transfer
Water Code Section	1020	1435	1700	1725	1735
Regulation Article		16.5	15.	16.	17.
Required Findings Include:					
1. Urgent need for water.		X			
2. No injury to other legal users of water.	X	X	X	X	X
3. No unreasonable effect on fish or wildlife.	X	X	X	X*	X
4. Involves only water consumptively used or stored.	X			X	
5. If part of long term action, show diligence in seeking a regular permit change.		X		X	
Duration	5 years	180 Days (renewable)	Permanent	One year or less	More than one year
Compliance with CEQA					
1. Normal CEQA process.	Required	Required	Required	Exempt if required findings 2 & 3 can be made	Required
Comments					
1. Petition fees required.	Varies	Normal Application Fee	\$100 per Application	25% of Application fee. (out of basin transfers only.)	25% of Application fee (out of basin transfers only.)
2. Board provides notice and opportunity for hearing; & reviews information from interested parties.	Protest(s)	Objection(s)	Protest(s)	Comment(s)**	Protest(s)
3. Board hearing may be required to:	Consider protests and objections	Consider objections and/or make required findings	Consider protests and objections	Consider comments and/or make required findings	Consider protests and objections

* Transfers through the southern Delta require an environmental assessment.

**Board administrative precedent, existing regulations and proposed regulations require noticing and opportunity for comments or objections to any significant changes.